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## Delay at least five months in return of inmate booking to city

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County officials long ago soured on a deal in which men arrested in Buffalo go straight to the Erie County Holding Center for fingerprints and mug shots while they wait to see a judge.

They had hoped to end the money-losing arrangement this month, but instead will have to wait until late winter before the city takes back the duties.

That's because a city project to convert the basement of the City Court building on Delaware Avenue into a city-run central booking area and lockup has fallen behind an initial timetable that would have seen the new lockup open Oct. 1.

"It is a very technical job, and it takes some time to get these types of bids out and structured properly," said City Public Works Commissioner Steven

J. Stepniak. "You're working with the state, and they want to make sure that you've dotted every 'i' and crossed every 't.' "

Design and bidding delays have pushed the completion date for the \$3 million project into February, and county officials are now scheduling the transfer to take place March 1.

Work started last month to transform 10,000 square feet of storage space in the basement of the court building into a facility that can process arrestees and house them for up to 24 hours.

"For some time now, both sides have been aware that it was going to take place sometime in February," said Michael J. DeGeorge, spokesman for Mayor Byron W. Brown and Police Commissioner Daniel Derenda. "It is a complicated transaction. There's been constant communication between the city and the county."

The transfer of the lockup back to the city would put an end to an eight-year arrangement that county officials have largely viewed as a failure because of the extra cost to the county and the strain on the Holding Center.

The city and the county struck a deal in 2003 in which Buffalo closed its cellblocks for male suspects in Police Headquarters and instead agreed to pay the county about \$940,000 a year to process and hold the defendants before they are arraigned.

Before that agreement, men arrested in Buffalo were taken to the county-run Holding Center after they had seen a judge.

Officials at the time characterized the effort as a step toward regionalism that would save money because of the Holding Center's lower costs per inmate.

Instead, it turned out to be a money loser for the county.

A report issued by County Comptroller Mark C. Poloncarz in 2007 found that the county lost \$1.6 million during the first three years of the arrangement because the actual cost of housing the inmates before arraignment was more than the city paid the county for the service.

The Comptroller's Office now estimates that the arrangement cost the county an additional \$1.6 million in the years since its 2007 review and that the delay in transferring the lockup back to the city could cost the county an additional \$308,000 between Oct. 1 and March 1.

"This is a problem we knew about for years, and yet the county did nothing," Poloncarz said.

The city and the county have been haggling over the cost of the lockup since 2010.

County Executive Chris Collins has since terminated the agreement with the city and set Oct. 1 as a target date for Buffalo to take back the lockup responsibilities.

Grant Loomis, a Collins spokesman, said the county is negotiating with the city for a higher reimbursement for the lockup services until the transfer takes place.

"The Collins administration believes that contract significantly underfunded the county for the cost of providing this service," Loomis said.

The transfer of the pre-arraignment inmates back to the city's responsibility was also cited in an August settlement agreement between the U. S. Department of Justice and Erie County as a step the county is taking to improve conditions at the Holding Center.

That "stipulated order of dismissal" noted that the county planned to stop receiving the pre-arraignment male inmates in October.

The county is slated to continue to process and hold female inmates arrested in Buffalo and awaiting arraignment at the Holding Center until 2013, Loomis said.

Stepniak said the city has done its "due diligence" to make sure operations at the city's

new cellblock in the court building will meet state standards.

“The county decided to opt out, which, in a case like this, put the city in a situation where it’s not always easy,” Stepniak said. “You can’t go around the corner and buy a cellblock. You have to build one that’s going to work well for the system.”